

REMARKS

Reconsideration of the subject application is respectfully requested.

Claims 1, 3, 4, 6, 7, and 9 remain in the application. Claim 1 has been amended.

Claims 2, 5, and 8 have been canceled to facilitate prosecution of the instant application.

The subject application was appealed to the Board of Patent Appeals and Interferences (BPAI). The most recent transaction in the subject application is an Examiner's Answer to Appeal Brief mailed June 19, 2007.

Applicant is withdrawing the currently pending Appeal and submitting a Request for Continued Examination.

Applicant amends herein claim 1 of the subject application. Specifically, the method of claim 1 comprises the steps of

metering in an alcohol selected from the group consisting of methanol, ethanol, and propanol;

measuring an alcohol concentration in the boiling water reactor;

based on the measuring, maintaining an alcohol concentration of from 0.1 to less than 10 $\mu\text{mol/kg}$ in a downcomer.

Newly presented claim 10 requires:

**condensing alcohol discharged with a vapor phase and
recycling the condensed alcohol to the reactor.**

Support for the amendments are as follows:

Applicant respectfully directs attention to the specification as filed, page 7, lines 1-2, page 7, lines 8-10, disclosing the metering step.

Applicant respectfully directs attention to the specification as filed, page 11, lines 21-25 disclosing a measuring step as now claimed.

Applicant respectfully directs attention to the specification as filed, page 12, lines 13-15 disclosing the condensing step now claimed.

Claim 8 has been rejected under 35 U.S.C. § 112, second paragraph. This rejection is now moot in view of the cancellation of claim 8 by this Amendment.

Claims 1, 3, 4, and 6-9 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 5,181,893 referred to herein as the '893 Patent.

The grounds for rejection set forth by the Final Office Action and Examiner's Answer do not support an obviousness rejection in view of currently amended claim 1. Claim 1, as now presented, requires steps including, inter alia, metering in

alcohol, measuring alcohol concentration, and condensing alcohol discharged with a vapor phase and recycling the condensed alcohol to the reactor. There is no disclosure in the '893 Patent for any of the metering, measuring, condensing, and recycling steps as now claimed. The measuring of alcohol disclosed in the '893 Patent is limited to a measurement that takes place before a solution is added to a reactor. The measurement disclosed in the '893 patent does not measure alcohol concentration in a Boiling Water Reactor. The Office Action relies on an interpolation based on a metal-solvent mixture prior to this mixture being added to a reactor to conclude a concentration disclosed. The claim requires the measurement of alcohol to take place in the reactor, not before being introduced to the reactor system. Applicant further disagrees with the characterization in the Final Office Action and Examiner's Answer that the single injection disclosed in the '893 patent is any type of continuous addition. The subject application, as now claimed, provides for metering in and measuring concentrations during a process.

There is no teaching or suggestion found anywhere in the single injection disclosure of the '893 Patent to measure the alcohol concentration in the reactor, to meter in additional alcohol based on that measuring, to condense alcohol discharged with a vapor phase, and recycle the condensed alcohol as now claimed. Because the claimed invention is not taught or suggested by the '893 Patent a rejection under 35 U.S.C. §103(a) cannot be properly applied.

No new matter is added by these amendments.

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Amdt. dated 11/6/07
Reply to Office action of June 19, 2007

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

If an extension of time is required, petition for extension is herewith made. Any extension fee associated therewith should be charged to Deposit Account Number 12-1099 of Lerner Greenberg Sterner LLP.

Please charge any other fees that might be due with respect to Sections 1.16 and 1.17 to Deposit Account Number 12-1099 of Lerner Greenberg Sterner LLP.

Respectfully submitted,

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DWB/bb

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